IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE

E of River Road, 165 ft. S of

Silver Lane * ZONING COMMISSIONER

Lot 8D River Road

15th Election District * OF BALTIMORE COUNTY

7th Councilmanic District

Legal Owner: Mark Dickerson * Case No. 98-434-A

and Doris Dickerson

Contract Purchaser: Deborah Martin

Petitioners

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE

E of River Road, 215 ft. S

of Silver Lane * ZONING COMMISSIONER

Lot 9D River Road

15th Election District * OF BALTIMORE COUNTY

7th Councilmanic District

Legal Owner: Mark Dickerson * Case No. 98-435-A

and Doris Dickerson

Contract Purchaser: John Vervan

Petitioners

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE

E of River Road, 265 ft. S

of Silver Lane * ZONING COMMISSIONER

Lot. 10D River Road

15th Election District * OF BALTIMORE COUNTY

7th Councilmanic District

Legal Owner: Mark Dickerson * Case No. 98-436-A

and Doris Dickerson

Contract Purchaser: Laura L. George

Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters come before the Zoning Commissioner on Petitions for Variance, for three separate lots of record which are adjacent to one another in the subdivision known as Cedar Beach, located in eastern Baltimore County. The three cases were combined for a single public hearing, in that the Petitions were each brought by Mark Dickerson, the owner of each of the three parcels. The Petitions indicate that Doris Dickerson, the mother of Mark Dickerson, is the co-owner of the properties; however, apparently Mrs. Dickerson is deceased and Mark Dickerson is the sole owner.



In woning case no. 98-434-A, variance relief is requested for the parcel known as lot 8D River Road in the Cedar Beach subdivision. Relief is sought pursuant to Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a front yard setback of 32 ft. and a center line setback of 47 ft., in lieu of the required 50 ft. and 75 ft., respectively. Variances are also sought to allow side yard setbacks of 11 ft. on each side in lieu of the required 50 ft. It is to be noted that Deborah Martin, Contract Purchaser, executed the Petition as co-applicant/contract purchaser.

In case No. 98-435-A, variance relief is requested for the parcel known as lot 9D River Road in the Cedar Beach subdivision. Relief is sought pursuant to Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a front yard setback of 32 ft. and a center line setback of 47 ft., in lieu of the required 50 ft. and 75 ft., respectively. A variance is also requested to allow side yard setbacks of 11 ft. in lieu of the required 75 ft. In this case, John Vervan executed the Petition as co-applicant/contract purchaser.

Lastly, in case No. 98-436-A, variance relief is requested for the parcel known as lot 10D River Road in the Cedar Beach subdivision. Variance relief is also sought, pursuant to Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR), to allow a front yard setback of 32 ft. and a center line setback of 47 ft., in lieu of the required 50 ft. and 75 ft., respectively. Also, side yard setbacks of 40 ft. and 10 ft. in lieu of the required 50 ft. are also proposed. A variance is requested to allow a rear yard setback of 25 ft. in lieu of the required 50 ft. In this case, Laura L. George executed the Petition as co-applicant/contract purchaser.

As noted above, the matters came before this Zoning Commissioner for a single public hearing. The lots are adjacent unimproved properties which are located near the intersection of Poplar Road and River Road in eastern Baltimore County. The properties are not waterfront but have frontage on both River Road and Poplar Road. They are located not far from Sue Creek. Each property is zoned R.C.5.

Lot 8D is approximately .1836 acres in area. The lot is unimproved and has a frontage of 50 ft. on River Road. The lot is irregularly shaped, with a depth of 145 to 175 ft. The angular frontage of the lot on Poplar Road is 60 ft. in width.

Lot 9D is .16 acres in area. It is also 50 ft. wide on River Road and 60 ft. wide on Poplar Road. Its depth ranges from 113 ft. to 145 ft.

Lot 10D is .25 acres in area and is triangular in shape. It has frontage of approximately 189 ft. on River Road and 250 ft. on Poplar Road. It is 113 ft. in depth at its widest point. This triangular shaped parcel is located immediately adjacent to the intersection of River Road and Poplar Road.

The subject properties and requested relief are more particularly shown on the plats which were attached to each Petition, marked as Petitioners' Exhibit #1.

Apparently, Mr. Dickerson and his mother acquired the lots approximately 8 years ago. They are presently unimproved and are wooded. Mr. Dickerson proposes constructing a single family dwelling on each lot. The proposed building envelopes are 28 ft. x 28 ft. in dimension. It was also indicated that Poplar Road is a gravel road at the present time. However, it is anticipated that a macadam surface will eventually be installed. Mr. Dickerson indicated that each lot is a separate lot of record and contains its own tax number.

Variance relief is requested for each of the lots as more fully The lots are significantly undersized. described above. Section 1A04.3.B.1 governs of the lot area for R.C.5 parcels. That section requires that a lot having less than one acre in area may not be "created" in the R.C.5 zone. In this case, the lots are not being "created" in that they have existed as separate lots of record since the Cedar Beach subdivision was platted many years ago. Thus, Mr. Dickerson need not variance that section in view of the fact that the lots have existed in their present size and dimension for many years. Nonetheless, since each lot is unimproved, variance relief to permit construction is necessary from the current standards contained within the R.C.5 zoning regulations. relief is requested, pursuant to Section 307 of the BCZR which empowers the Zoning Commissioner to grant variances from area and setback requirements.

The Petitioner is not eligible for relief pursuant to Section 304 of the BCZR. Although not applicable here, the purpose of Section 304 is of note. That section permits the development of undersized lots by right. The drafters of the BCZR enacted Section 304 in recognition of the fact that many undersized lots predated the adoption of the zoning regulations. Section 304 allows a property owner to develop an undersized lot with a single family dwelling if three conditions are met. Those conditions are; that the lot existed as part of a recorded subdivision or was a duly recorded lot of record prior to 1955; that no other variance relief is necessary; and that the property owner owns no adjacent land which might be combined with a lot at issue to produce a sufficiently size lot. In this case, Mr. Dickerson fails to meet two of those requirements. Specifically, all three of the lots at issue are under one ownership; thereby precluding development of each on an individual basis, pursuant to

Section 304. Second, and as significantly, substantial variances are need from the setback requirements. Thus, if the Petitioner attempts to develop the lot individually, he may do so only pursuant to Section 307.

Section 307 of the BCZR sets out the criteria which must be applied to each variance Petition. The section requires that the Petitioner demonstrate practical difficulty or unreasonable hardship in order for relief to be approved. Also, it must be shown that relief can be granted without any detrimental impact to the surrounding locale.

The variance statute in Baltimore County has been comprehensively examined by the appellate courts of this State. The leading case is Cromwell v. Ward, 102 Md. App 691 (1995). Therein the Court opined that the Petitioner must demonstrate that the property at issue is unique in order for relief to be denied. Moreover, the hardship shown cannot be self created nor are economic factors the basis to support variance relief.

Although there were no opponents present, Zoning Plans Advisory Committee (ZAC) comments were received which oppose the Petitions. The Office of Planning noted that the Petitions are contrary to the spirit and Intent of the regulations as set out in Section 304 of the BCZR. As noted above, two of the three requirements of Section 304 are not satisfied in this case. That comment also noted that public water was being installed in this area to correct existing health problems and not to allow or encourage new development. The Department of Environmental Protection and Resource Management also opined that development of the parcels need be in compliance with the Chesapeake Bay Critical Area Regulations.

In my judgment, the Petitions must and should be denied. The Petitioner has presented no compelling factor to support a grant of the variances. Rather, it is clear that the Petitioner's only goal is to maximize his economic gain by sale of the properties. Although I find no fault

with the Petitioner attempting to increase his profit by developing each lot, that desire cannot be the basis upon which variance relief can be granted. There is no compelling showing that these lots should not be combined for development purposes. Although even a combination of the lots for a single dwelling might require a zoning variance, certainly any such variance would be significantly less in scope than what is proposed. In this case, I find that the Petitioner has not satisfied the criteria set out in Section 307 of the BCZR, as construed by the Court of Special Appeals in Cromwell v. Ward, supra. Thus, the Petitions for Variance must and will be denied.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _______ day of October 1998 that, in case No. 98-434-A, a variance from Section 1A04.3.B.3 of the BCZR to allow a front yard setback of 32 ft. and a center line setback of 47 ft., in lieu of the required 50 ft. and 75 ft., respectively, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that variances to allow side yard setbacks of 11 ft. on each side, in lieu of the required 50 ft., be and is hereby DENIED; and,

IT IS FURTHER ORDERED that, in case No. 98-435-A, variance relief from Section 1A04.3.B.3 of the BCZR to allow a front yard setback of 32 ft. and a center line setback of 47 ft., in lieu of the required 50 ft. and 75 ft., respectively, be and is hereby DENIED; and,

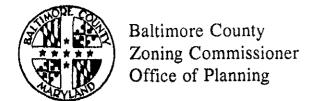
IT IS FURTHER ORDERED that a variance to allow side yard setbacks of 11 ft. in lieu of the required 75 ft., be and is hereby DENIED; and,

IT IS FURTHER ORDERED that in case No. 98-436-A a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR), to allow a front yard setback of 32 ft. and a center line setback of 47 ft., in lieu of the required 50 ft. and 75 ft., respectively, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that side yard setbacks of 40 ft. and 10 ft. in lieu of the required 50 ft., and a variance to allow a rear yard setback of 25 ft. in lieu of the required 50 ft., be and is hereby DENIED.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES/mmn



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

September 30, 1998

Mr. Mark Dickerson 2042 Popular Road Baltimore, Maryland 21221

Mr. Buck Jones Free-State General Contractors, Inc. 500 Vogts Lane Baltimore, Maryland 21221

RE: Case No. 98-434-A, 98-435-A, 98-436-A

Petitions for Variance

Property: Lots 8D, 9D and 10 D River Road

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn att.

Ms. Deborah Martin Ms. Laura L. George Mr. John Vervan 500 Vogts Lane Baltimore, Maryland 21221



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

Lot 10-D River Road

which	is	presently	zoned	g	C 6	5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat anached hereto and made a part hereof, hereby petition for a Variance from Section(s) Section 1804, 3.8, 3 to allow a front yard setback of 47' in lieu of the required 50' and 75' respectively; to allow side yard setbacks of 40' and 10' and 10' allow a feet yard setbacks of 40' and 10' and 10' allow a feet yard setback of ot the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) This particular lot is located in a RC 5 zone. The lot has been a lot of record with it's own tax account number since 1942. The set back lines as required under the RC 5 zoning would not be possible to obtain. Strict compliance with the zoning requirement would unreasonably prevent the use of the property for a permitted purpose that other lot owner's of the community have enjoyed.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we alie fine
Canton B. and a state of the st	legal owner(s) of the property which is the subject of this Petition
Contract Purchaser/Lessee	Legal Owner(s)
Laure L. George (Type or Print Name) Laure L. Hange Signature	Mark Dickerson (Type 9) Frint Name) Signature
500 Vogts Lane	Doris Dickerson (Type of Print Name)
Baltimore Md 21221 State Zipcode	Signature
Attorney for Petitioner (Type or Print Name)	2042 Popular Road 574-5952 HM
•	Baltimore Md 21221
Signature	City State Zipcoce Name, Address and phone number of representative to be contacted
	Buck Jones 574-9544 HM
Address Phone No City State Zipcode	500 Vogts Lane 410-574-9337 W M
City State Zipcode	Address Phone No OFFICE USE ONLY
parties Admilacon by	ESTIMATED LENGTH OF HEARING unevallable for Hearing
77	the following dates
Printed with Soybean Ink on Recycled Paper	REVIEWED BY: 13/98
98	436-A #436

EXAMPLE 3 - Zoning Description

- 3 coples

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on $8-1/2" \times 11"$ sheet.

ZONING DESCRI	TION FOR Lot 10-D	River Road	
	rict15		(address)
Beginning at a point on			
Road	which is	30'	feet of right-of way width
wide at a distance of			
centerline of the neares	st improved intersec	ting street _	Silver Lane (name of street)
which is 30 (number of fee	t of right-of-way w	wide. *E	Being Lot $#10-D$
Block, S	ection #	in the subc	division of
Cedar Beach'	division)	as recorded	in Baltimore County Plat
Book # 13	, Folio #59_		_, containing
11,312 (square feet	and acres)		
then DO NOT description	erty is not recorded attempt to use the last shown, instead solio and includetes and bounds only ion.	Lot, Block and tate: "As rec ude the measur	Subdivision orded in Deed ements and
27' 03" E.87.	tes and bounds: N. 2 ft., S.62 19' 00 to the place of be	" W. 318 ft.,	and N.UB ID

BALTIMO OFFICE OF MISCELL	BALTIMORE COUNTY, MARYI OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	BALTIMORE COUNTY, MARYI DOFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	\$0 \$0 \$0	
DATE	5/13/02	ACCOUNT	Rost-6150		
		CO. CO. \$ 100MA	50.00		CAND TO COME OF THE COME OF TH
RECEIVED FROM:	Buch	Jan 05			Matiens fasts, warred
FOR:	Olo Varia	ariant v	Q-01 +07		4.9
DISTRBUTION WHITE - CASHIER	ER PINK - AGENCY	YELLOW - CUSTOMER	3 The same of the	2 2 3	CASHER'S VALIDATION

The Zoning Deimensistance of Bellinness County, by addinging of the Zoning Act and Regulations of Bellinness County will had a public bearing in Tow-son, Marviand on the property identified herein as follows:

Case: #98-436-A

of Sther Lane
15th Becdon District
15th Becdon District
17th Cournelmanic District
Legal Owner(s):
Mark Disclerson
Contract Purchaser
Latina L. George
Vanishers:
Variance: to allow a front
yard setback of 22 thet and a
contentine setback of 47 feet in
then of the nequired 50 feet and
15 feet respectively. To allow
side yard setback of 40 feet
and 10 feet in leau of the required 50 feet in sepectively
and to allow a rear yard set
back of 25 feet in leau of the re-River Road, Lot 10D E of River Road, 265 S

AWRENCE E SCHMIDT

ired 50, feet

NOTES: (1) Hearings are Handisapped "Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the "File another Hearing Please Call (410) 887-3331.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 64	
<u>}</u>	

weeks, the first publication appearing on _ in Towson, Baltimore County, Md., once in each of published in THE JEFFERSONIAN, a weekly newspaper published THIS IS TO CERTIFY, that the annexed advertisement was successive N 90 1.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

RE: Case No.: 98-436-A Petitioner/Developer B. JONES, ETAL MAD, DICKERSON

Date of Hearing/Closing. 6/24/98

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlement

ted emeniously on the prope	es of perjury that the necessary sign(s) requerty located atLOT-LO-C A SILVER LA.	nired by	EIVER	ROAD
The sign(s) were posted on	6/8/98 (Mohth, Day, Year)		*	

Sincerely,

(Signature of Sign Poster and Date)

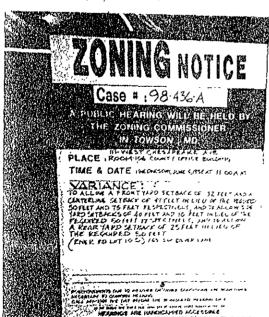
PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE (Address)

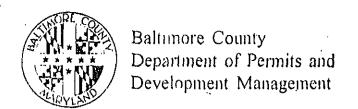
HUNT VALLEY, MD, 21030 (City, State, Zip Code)

410-666:5366 ; CELL-410-905-8571

(Telephone Number)



36.1 - 11.198



Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

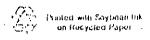
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
[tem No.: 436 Petitioner: BUCK JONES
Location: Lot 10-D River Rd.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: BUCK JONES
ADDRESS: 500 VOGTS LANE
BALT, MD ZIZZI
PHONE NUMBER: 410-574-9337
PHONE NUMBER: 410-574-9337 68-436- A



Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: <u>98-436 A</u>

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE:	
DATE AND TIM	IE:
REQUEST: Va	rique to allow a front yard setback of 32' and a centerly
setback of	47' in lieu of the required 50' and 75' respectively, to
allow side	yard setbacks of 40' and 10' in lieu of the required
50 respec	tively; and to allow a rear yard setback of 251
in lien e	if the required si'.
	TS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY

TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

9/96 post.4.doc TO: PATUXENT PUBLISHING COMPANY

June 4, 1998 Issue - Jeffersonian

Please forward billing to:

Buck Jones

410-574-9337

500 Vogts Lane

Baltimore, MD 21221

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-436-A

River Road, Lot 10D

E of River Road, 265' S of Silver Lane

15th Election District - 7th Councilmanic District Legal Owner: Mark Dickerson & Doris Dickerson

Contract Purchaser: Laura L. George

Variance to allow a front yard setback of 32 feet and a centerline setback of 47 feet in lieu of the required 50 feet and 75 feet respectively; to allow side yard setbacks of 40 feet and 10 feet in lieu of the required 50 feet respectively; and to allow a rear yard setback of 25 feet in lieu of the required 50 feet.

HEARING:

Wednesday, June 24, 1998 at 11:00 a.m. in Room 106, County Office Building,

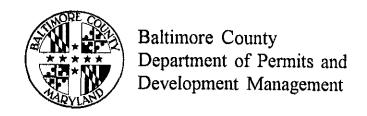
111 West Chesapeake Avenue

LAWRENCE E. SCHMIDT

awrence E. Schmidt

ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
 - (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 26, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-436-A

River Road, Lot 10D

E of River Road, 265' S of Silver Lane

15th Election District - 7th Councilmanic District Legal Owner: Mark Dickerson & Doris Dickerson

Contract Purchaser: Laura L. George

<u>Variance</u> to allow a front yard setback of 32 feet and a centerline setback of 47 feet in lieu of the required 50 feet and 75 feet respectively; to allow side yard setbacks of 40 feet and 10 feet in lieu of the required 50 feet respectively; and to allow a rear yard setback of 25 feet in lieu of the required 50 feet.

HEARING:

Wednesday, June 24, 1998 at 11:00 a.m. in Room 106, County Office Building,

111 West Chesapeake Avenue

Arnold Jablon

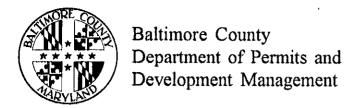
Director

c: Doris & Mark Dickerson Laura L. George

Buck Jones

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 9, 1998.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 16, 1998

Mr. Buck Jones 500 Vogts Lane Baltimore, MD 21221

> RE: Item No.: 436 Case No.: 98-436A

Petitioner: Mark and Doris

Dickerson

Location: Lot 10-D River Road

Dear Mr. Jones:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 14, 1998.

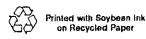
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

WCR:ggs
Attachment(s)





Parris N. Glendening Governor David L. Winstead

Secretary

Parker F. Williams Administrator

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Baltimore County 5つ. とて. ちレ RE:

Item No.

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

1. J. Doell 1 Ronald Burns, Chief

Engineering Access Permits

Division

LG

BALTIMORE COUNTY, MARYLAND

2 1998

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Date: June 1, 1998

Dept. of Permits & Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Lot Nos. 8, 9, 10 River Road

Note

Please disregard the Comment dated 5/26/98

INFORMATION

Item Numbers:

434, 435, and 436

Petitioner:

Dickerson Property

Zoning:

RC-5

435 .

Summary of Recommendation:

Staff has reviewed the subject request and recommends denial. This position is based on the the following:

These lots could not be developed without the aid of public water and sewer. Public water and sewer is being installed in this area to correct existing health problems, not to allow or encourage new development. This position is explicitly stated in the Baltimore County Master Plan, the 1997 Master Water and Sewer Plan, and the Lower Back River Neck Community Plan.

Section 304 of the Baltimore County Zoning Regulations states: "A one-family detached or semi-detached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations contained in these regulations if ... the owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations."

Prepared by:

Division Chief:

AFK/JL

Due Date: May 29, 1998

TO:

Arnold Jablon

FROM:

R. Bruce Seeley & S

SUBJECT:

Zoning Item #434, 435, 436

Dickerson Property, Lots 8D, 9D, 10D River Road

Zoning Advisory Committee Meeting of May 26, 1998 The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item. The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site. X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item: ____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code). Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code). X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other

Sections, of the Baltimore County Code).



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

May 27, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

Zoning Agenda:

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF MAY 26, 1998

Item No.: 427, 428, 429, 433, 434

435, (436) 437, 438, 439

440

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: June 8, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT: Ze

Zoning Advisory Committee Meeting

for June 1, 1998

Item Nos. 434, 435, and (436)

The Development Plans Review Division has reviewed the subject zoning item. Item numbers 434, 435, and 436 are subject to the development regulations of the County; the subdivision of land into three (3) or fewer lots for residential single-family dwellings.

RWB:HJO:jrb

cc: File

*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Pet	itioner(s)					*	(Case Nu	mber: 98	3-436-A			
_		rchaser: 1			SISOII		*]	BALTIN	ORE CO	DUNTY			
	Legal Owners: Mark and Doris Dickerson						*]	FOR					
RE: PETITION FOR VARIANCE Lot 10D River Road, E of River Rd, 265' S of Silver Lane, 15th Election District, 7th Councilmanic							*	ż	ZONINO	G COMM	ission	ER		
RE	. DETT	PION EO	D WADI.	ANICE			*		BEFORI	ETHE				

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

People's Counsel for Baltimore County

ter Maro Timmonas

Carole S. Demilio

Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue

Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of June, 1998, a copy of the foregoing Entry of Appearance was mailed to Buck Jones, , 500 Vogts Lane, Baltimore, MD 21221, representative for Petitioner(s).

Peter Max Zimneinan
PETER MAX ZIMMERMAN



INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM

•	
	_

TO:	Director, Office of Planning and Zoning			8
ΙΟ.	Attn: Ervin McDaniel			Permit Number
	County Courts Bidg, Rm 406			
	401 Bosley Av			
	Towson, MD 21204			
FROM:	Amold Jablon, Director, Zoning Administration and D	Development Managemen	t	
	14) 1 1 1 -4-			
RE:	Undersized Lots Pursuant to Section 304.2(Baltimore County Zoning	Regulations) effective Jur	ne 25 1992: this office	e is requesting recommenda-
lions a	and comments from the Office of Planning & Zoning prior			o to to dooding to our metters
	·		, w = w = w = 0	
MINIMU	M APPLICANT SUPPLIED INFORMATION:			
a 	Buck Jones 500 Vogts Lane	21221	410-574	<u> </u>
	I harries of supplement	Election District 15		44 240
			.	
Lot	Location: NES W (side) corner of River Road	, <u>265</u> leet from N E(S	W corner of Unest	lver Lane
	,	9 1 1 1	har 15-020	06021
Load		Tax Account Num	VVI	
Add	ress 2042 Popular Road	Teleph	one Number $\frac{410-5}{}$	74-9337
	Baltimore, Md 21221			
۵	CHECKLIST OF MATERIALS: (to be submitted for design r	eview by the Office of Pla	nning and Zoning)	
Ų	Checkers of Marsanas, to be seculated to design in	PROVIDED	?	Description Organization Con Const
		VEC	WO .	Residential Processing Fee Paid Codes 030 & 080 (\$85)
	1. This Recommendation Form (3 copies)	YES	WU .	
	1. tills Maram manualing Laum to colony			Accepted by ZAOM
	2. Permit Application		<u> </u>	1 ·
	3. Site Plea			l nava
	Property (3 copies)	<u>-1</u> -	Tanker and Tanker	
	Topo Map (gygrighte in 8m 204 C.O.B.) (2 copies)	<u></u>		
	(please label site clearly)			
	4. Beilding Elevation Drawings	<u> </u>		
	5. Photographs (please label all photos clearly)			
	Adjoining Buildings			
	Surrounding Neighborhood			
	TO BE FILLED IN BY TH	E OFFICE OF PLANNING AND	ZONING ONLYI	
RECOM	AMENDATIONS/COMMENTS:			
	Approval Disapproval Approval con	ditioned on required modi	fications of the permi	t to conform with the following
<u></u>	rec	commendations:	,	
		_	۲- ۱۰	60 OHCC
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			-1	6/98
			5/2	6178
			1	(

Date: 98.436-A Item # 436

SCHEDULES ATES, CERTIFICATE OF FILING AND STING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2 ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

The application for your proposed Building Per	rmit Application has been accepted on
for filing by	Date (A)
A sign indicating the proposed Building must fifteen (15) days before a decision can \$50.00 and posting \$35.00; total \$85.00.	be posted on the property for be rendered. The cost of filing is
In the absence of a request for public hearing a decision can be expected within approximate demand is received by the closing date, then after the required public special hearing.	ely four weeks. However, it a valu
*SUGGESTED POSTING DATE	D (15 Days Before C)
DATE POSTED	
HEARING REQUESTED-YES NO -DATE	
CLOSING DAY (LAST DAY FOR HEARING DEMAND)	C (B-3 Work Days)
TENTATIVE DECISION DATE	B (A + 30 Days)
*Usually within 15 days of filing	
CERTIFICATE OF POSTING	
District	
focation of property:	
Posted by: Dat Signature	e of Posting:
Number of Signs:	
CK/UNDER.LOT (TXTSOPH)	

98.436-A

TO:	Director, Office of Planning and Zoning		·	
TO:	Attn: Ervin McDaniel			Permit Number
	County Courts Bldg, Rm 406			
	401 Bosley Av			
	Towson, MD 21204			
FROM:	Arnold Jablon, Director, Zoning Administration and	i Development Management		
RE:	Undersized Lots			
NÇ;	Pursuant to Section 304.2(Baltimore County Zonin	ng Regulations) effective June 2	5, 1992; this office is red	questing recommenda-
tions an	d comments from the Office of Planning & Zoning pr			- -
KINIMUM	APPLICANT SUPPLIED INFORMATION:			
C) Print N	Buck Jones 500 Vogts Lang	e 21221	410-574-93 Telephone Humber	3.7
∩ lot &	ddmss 10-D River Road		eacil District 5 Squ	ore Feet 11,312
	Manufacture and the second	265 tast tank # t@w.	C Silve	r Lane
Lot Lo	cation: MES W (side) corner of River Road		(street)	
Load ()	www Mark Dickerson	Tax Account Number .	15-020060	21
	2042 Benular Bond		•	
Addre		ielepacae	Mamphat	
	Baltimore, Md 21221			
Q	CHECKLIST OF MATERIALS: (to be submitted for design	review by the Office of Plannin	ng and Zoning)	
				Residential Processing Fee Paid
	1. This Recemmendation Form (3 copies)	YES	NO	Codes 030 & 080 (\$85)
			<u> </u>	cepted by ZADM
	2. Permit Application -		<u> </u>	ite
	3. Site Plea	V	!	
	Property (3 copies)	<u>.</u>	b	
	Topo Map (available in Rm 206 C.O.8.) (2 copies) (piease label site stearly)	<u> </u>		
	4. Beliding Elevation Drawings	$\sqrt{}$		
	·			
	5. Photographs (please label all photos clearly) Adjoining Buildings		<u> </u>	
		- 		
	Surrounding Neighborhood	<u> </u>		
	TO BE FILLED IN BY 1	THE OFFICE OF PLANNING AND ZON	NING ONLYI	
RECOMM	IENDATIONS/COMMENTS:			
A		onditioned on required modificate recommendations:	tions of the permit to cor	nform with the following
taff has r	reviewed the Undersize lot application and recomme	ends Denial. The denial of the	application is based on t	he following:
4. i	ould not be developed without the aid of public wat	er and sewer Public water and	l sewer is being installed	in this area
correct	existing health problems, not to allow or encourage	age new development. This wa	as explicitly stated in the	ie Baltimore
County M	laster Plan 2000, the 1997 Water Supply and Sew	erage Plan, and the Lower Ba	ck River Neck Commu	nity Action
lan.				
ection 3	04 of the Baltimore County Zoning Regulation (Use of Undersized Single-Fa	amily Lots) states: " A	one-family [3]
etached o	or semi-detached dwelling may be erected on a lot h	aving an area or width at the bu	ilding line less than that	required by
ne area re	egulations contained in these regulations if:			
C. The ov	wner of the lot does not own sufficient adjoining lar	nd to conform to the width and	area requirements conta	ined in these
egulation				1
Signed by	15." Cowin Macross Tor the Director, Office of Planning & Zoning	•	Date: 6 1/98 [OFFICE OF PLANNI
(m)ate m.b	איירים אוי אייני		•	
smigra pub				Item #4

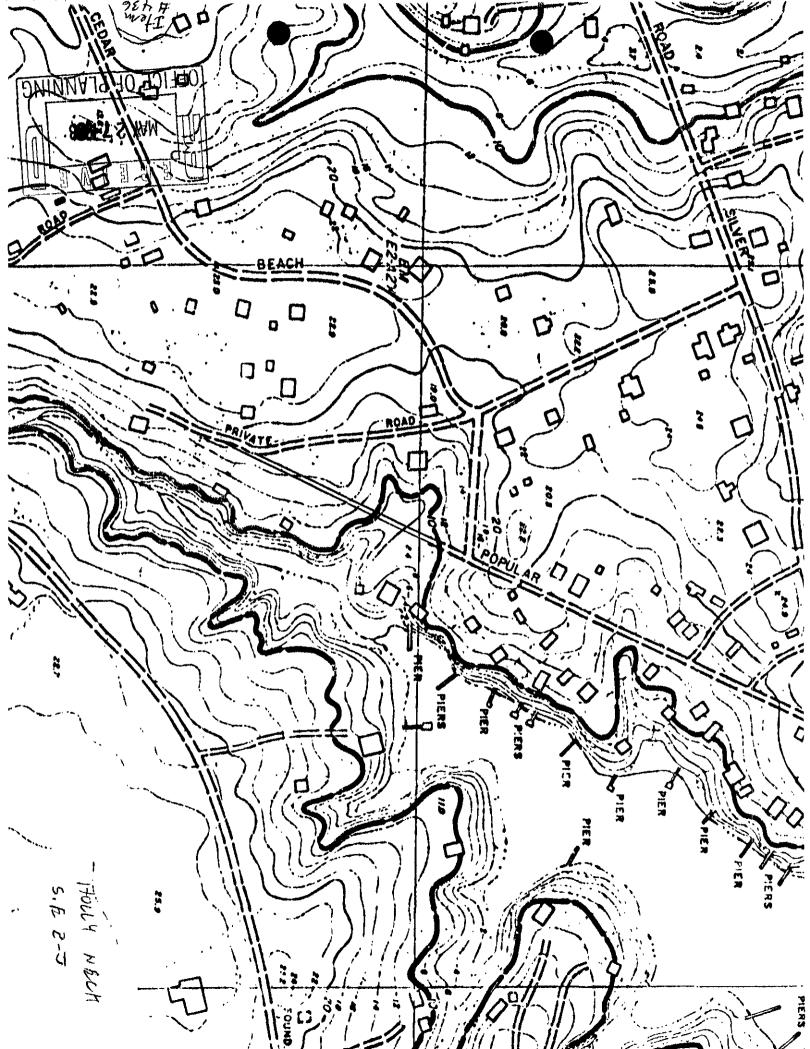
SCHEDUL DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2 ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

The application for your proposed Building Perm. for filing by			
for fiffing by		Date	(A)
A sign indicating the proposed Building must I fifteen (15) days before a decision can be \$50.00 and posting \$35.00; total \$85.00.	be posted e rendered	on the . The cos	property for at of filing is
In the absence of a request for public hearing a decision can be expected within approximatel demand is received by the closing date, then the after the required public special hearing.	v tour weel	ks. nowev	Gr, ii a vali
* *SUGGESTED POSTING DATE		_ D (15 Da	ays Beiore C)
DATE POSTED			
HEARING REQUESTED-YESNODATE			
CLOSING DAY (LAST DAY FOR HEARING DEMAND)		_ C (B-3 I	Work Days)
TENTATIVE DECISION DATE			
*Usually within 15 days of filing			
CERTIFICATE OF POSTING			
District			
Location of property:			
Posted by: Date Signature	of Posting	3:	
Number of Signs:			
CK/UNDER.LOT (TXTSOPH)			

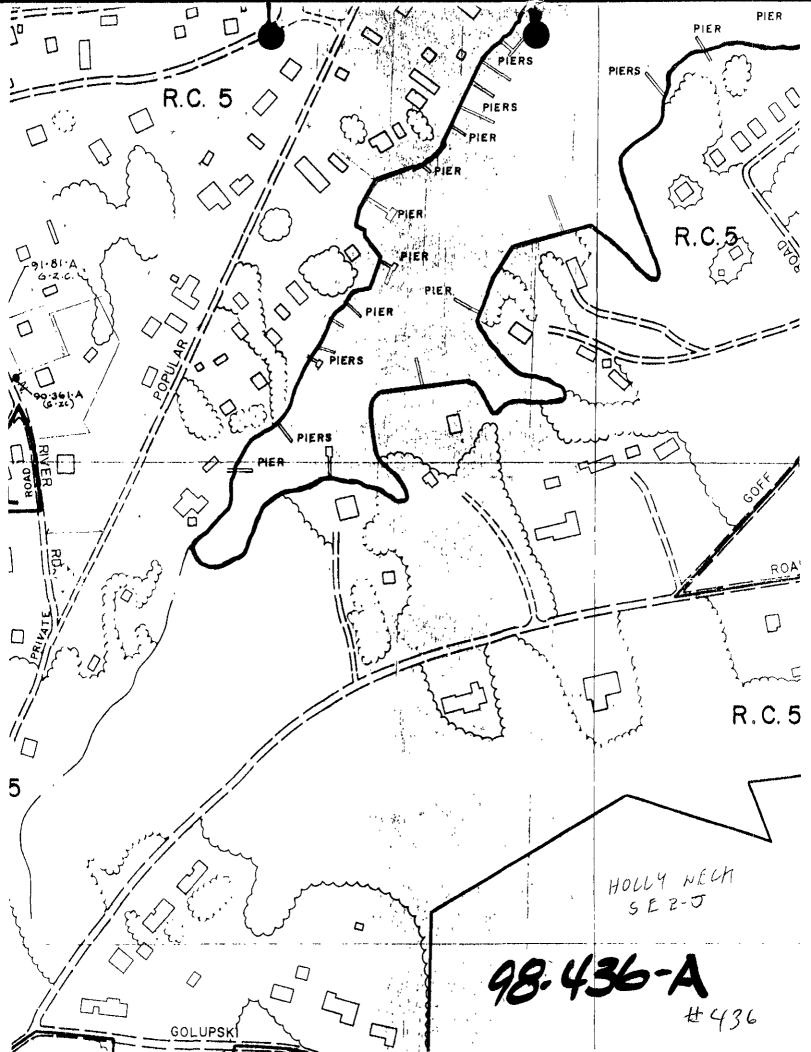
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	4. SOCIAL SECURITY NUMBER	S. BEX	& AGE (In yes, less	birthday)	F UNDER 1		# UNDE		7. DATE	OF BIRTH		B. BIRTHP Country	LACE (State or Foreign
	212-22-8398	1 [] # 2 [] #	68	YRS.	BHTHOM	DATE	HOUNE	MM.	Jul	y 21,	1926		yland
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E E	1308 Chapel H	ill Driv	e		ļ	Ba1	timo	ore			Ва	ltimo	re
ដ្ឋ	HEBIDENCE OF DECEDENT 10s, STATE 10s, COUNTY		·	10e. CIT	Y, TOWN OR	LOCATI							
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E G	3 🕅 Widowed 4 🗌 Otroroed												White
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	Max Byczynski					- 1				Middle, Maiden rowski			
띪	19a, INFORMANT'S NAME (Type/Print)	,	1.01		1000000				- + +-+				
۵	Mark W. Dickersor	ı (son)								∞ cy√ ∞ Baltim			21237
			20b. PLACE A					D L L	DAT		CATION -		
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					19/0)5 E	ela:	ir Ro	d.,	Baltim	ore,	MD :	21236
	23. PART I. Enter the diseases, or se shock, or heart failure. L	let only one caus	se on each line.	I(N, UO F	OL BRIDT TR	ne mea	e or ayı	ing, sucr	3 as car	diac or respi	Instory are	est,	Approximate Interval Between
	IMMEDIATE CAUSE (Final disease or condition	Acres	- 11.10	. 10	See		TAN	ار برس	1	100			Onset and Death
	resulting in death)	DUE TO (OR AS A CONSEQ	1/Kon	DIAL		∠/ //.	71/2	211	6.1.1		······································	
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HIFICATION	Sequentially list conditions, if any, leading to immediate	00 300	OR AS A CONSECU	JENCE OF	<u>~</u> }:	_/	=//.(`	<u></u>		J-7 13 C	· · · · -		
3	CAUSE (Disease or Injury												ļ
	that initiated events resulting in death) LAST	N OT BUG	Of AS A CONSEQU	JENCE OF):						,,		
H.	d.		····									~	l
الت	PART II. Other significant conditions	contributing to r	death but not re	sulting (n the unde	rlying	Carrae D	iven in f	Part 1.	24s, WAS AN	AUTOPSY	24b. W	ERE AUTOPSY FINDINGS
5		RUCTIVE			15 674:		_			PERFOR	MEOT	A	ATLABLE PRIOR TO
									-	YES ?	₹™	04	DEATH?
E	DID TOBACCO USE CONTR	BUTE TO CAL	ISE OF DEAT	H YF	s 🗀 No	э П	HNC	ERTAIN				1	□ YES 2 □ NO
PHISICIAN:	25. WAS CASE REFERRED TO MEDICAL				H (Check only		0110	FIX 173(1)	1 1-1				
2		HOSPITALI	ER/Outpetient 3 (DOA	OTHER:	Home	s At Re	sidence i	D Other	(Specify)			
	27. MANNER OF DEATH	288. DATE OF I	NJURY	286. TIME	Of 26	c INJUF	RY AT			CRIBE HOW IF	IJURY OCCI	VRED	
	1 Netural 5 Pending 2 Accident Investigation	(Month, Day	y, 1947)	ILNI		WORK	47 8 2 [[]	NO					
ED 67	2 Accident Investigation 3 Suicide 8 Could not be	28e. PLACE OF	WJURY At hom	e, farm, st	ireal, factory,	office			201. LOCA	ATION (Street a	nd Number o	v Rurel Rout	e Number
- 1	€ ☐ Homicide determined		ne (openy)			,		1	Crip (or Town States			•
ן ב	294, CERTIFIER 1 CERTIFYING PHYSICI	AH: To the best of m	ny knowledge, deel	h occurre	d of the time,	, date er	nd place,	end due f	o the cau	se(s) and men	ner as atale	a	
CUMPLE	MEDICAL EXAMINER												betete se rennem b
	296, SIGHAZUNE AND TITLE OF CERTIFIER					7	9c_LICE	NSE HUM!	BER		19d. DATE	SIGNED (M	orym, Day Year)
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≍	40. HAME AND ADDRESS OF PERSON WHO	COMPLETED CHUST	E OF DEATH (ITEM	27) (ħpe.	Print)					l	· · · · · · · · ·	//	
	Dr. Teodulo Pagli			ade1	phia	Roa	d, B	alti	more	, MD	2123	7	
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	BR 436 88-436-A	prepared by: BUCK JONES Scale of Drawing: 1'= 50
	reviewed by: ITEM #: CASE#:	date: 5-1-98 NOT IN FLOOD FLAN
	Zoning Office USE ONLY!	
	Prior Zoning Hearings:	
•	Chesapeake Bay Critical Area: X	
	• •	
	SEM ER MIMTE	John John John John John John John John
	966a396	
,	Lat size; . 26 1,3/2	
•	1-200 scale map#: SE 2-0	(QD) (QD)
,	Councilmanic District: 7	_
•	Election District: /5	25' DORIS
9	LOCATION INFORMATION	40. 28. I MAKKE
18	scale: 1'-1000'	57 27 27 27 27 27 27 27 27 27 27 27 27 27
} -	O Victoria Vic	(00)
4	Jan	DE MANY 32
1	Charles to the second	189 GRANEL A
K	SIMILE STORY	5 5 1/2"
'	THE NECK	W-H" W RIVER ROAD 30'R I
- /		2 15-02006021
1		OWNER: MARK DORIS DICKERSON
<u>-</u> -	SUE CALL SIET SIET SIET SIET SIET SIET SIET SIET	6
,	of the CHECXLIST for additional required information	CEDAR BEACH
•	e Special Hearing	npany Petition for Zoning Vari
-		D-1:1: - 5 - 7 - 7 - 7 - 7 - 7 - 7 - 7 - 7 - 7



OFFICE OF PLANNING

CEDAR II (OPTION C)

(RAILING NOT INCLUDED)

Them #436

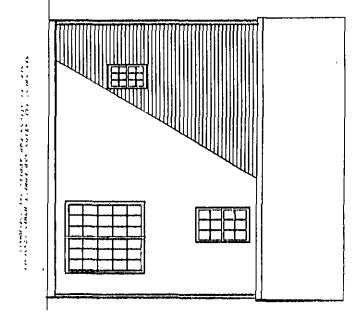
TELL SOULL PERSON TABLES TO ALL SHORE The second of the second second second second LICHE CHIEF LE CETON PRIMIT CARL THE VICTORS 100 200 200 G 2 7 1998 OFFICE OF PLANNING

Item #436

STATEMENT TO AN AN SHOW

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11.11.11



DEGETVE NAM 27 1998 OFFICE OF PLANNING



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LOT 10 D LOOKING NORTH UP POPLAR RD



LOT 10- 0 LOOMING NORTH UP
RIVER ROAD